

## REMARKS

Claims 14-23 are pending in this continuation application. Applicants' attorney would like to thank Examiner Bolden for the many courtesies extended during a personal interview on December 11, 2003, in the parent application 09/868,847. During the interview, a proposed amendment to prior Claim 14, which is included in new Claim 14 above, was discussed and it is believed that the rejection based upon 35 U.S.C. § 102 was overcome. Applicants' attorney also demonstrated the data of the references, in Excel spreadsheet form, so that comparison of the claims to the prior art could be made.

Applicants attorney wishes to draw the Examiner's attention to the statement of related cases filed concurrently.

As the Examiner indicated on the Interview Summary in the parent application, there was a discussion about how the total amount of colorant may affect properties including purity, and there was no rejection of record or argument of record on "obviousness".

Based on the discussion, Applicants provide the following information:

From the Gulotta et al patent, US 5,393,593, consider Examples 19, 7, 20 and 15. These are selected because they are the four examples with the lowest total colorant.

| Example | Total Colorant | Purity |
|---------|----------------|--------|
| 19      | 1.036          | 3.50   |
| 7       | 1.049          | 10.86  |
| 20      | 1.075          | 3.90   |
| 15      | 1.077          | 2.50   |

The data presented above demonstrates lack of correlation between total colorant and purity for this reference. As total colorant increases, purity does not necessarily increase.

From the Jones patent US 5,411,922, consider Examples 10, 9, 8 and 11, again chosen because they are the four examples with the lowest total colorant.

| Example | Total Colorant | Purity |
|---------|----------------|--------|
| 10      | 1.9317         | 3.8    |
| 9       | 1.9374         | 3.6    |
| 8       | 2.1687         | 2.3    |
| 11      | 2.2136         | 9.3    |

The data presented above demonstrates lack of correlation between total colorant and purity for this reference. As total colorant increases, purity does not necessarily increase.

Third, consider Combes patent US 5,352,640. Examples 2,3,5 and 4 are chosen because they are the four examples with the lowest total colorant.

| Example | Total Colorant | Purity |
|---------|----------------|--------|
| 2       | 1.41           | 14.7   |
| 3       | 1.49           | 7.2    |
| 5       | 1.52           | 8.3    |
| 4       | 1.53           | 11.6   |

The data presented above demonstrates lack of correlation between total colorant and purity for this reference. As total colorant increases, purity does not necessarily increase.

Finally, consider Seto et al JP 10-114540. Examples 22, 2, 30 and 32 (see the Table on pages 6 and 7 of the Japanese Patent). These examples are chosen because they are the four examples with the lowest total colorant. (Examples 30 and 32 have the same total colorant.)

| Example | Total Colorant | Purity |
|---------|----------------|--------|
| 22      | 1.2092         | 5.9    |
| 2       | 1.2995         | 7.4    |
| 30      | 1.3504         | 4.89   |
| 32      | 1.3504         | 5.99   |

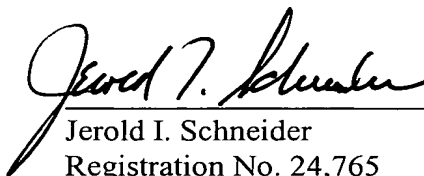
The data presented above demonstrates lack of correlation between total colorant and purity for this reference. As total colorant increases, purity does not necessarily increase. Indeed two examples with the same total colorant exhibit different purity.

Based on the foregoing, in response to the Examiner's question, the data presented above demonstrates the absence of correlation between total colorant and purity. Applicants proffer to present the data for all examples if requested by the Examiner.

Favorable consideration and allowance of Claims 14-23 is solicited.

Respectfully submitted,

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